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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,663	02/18/2004	Motoyuki Ohsugi	826.1919	1338

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EXAMINER
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CHOU, ANDREW Y

ART UNIT	PAPER NUMBER
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2192

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/12/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/779,663	<b>Applicant(s)</b> OHSUGI ET AL.	
	<b>Examiner</b> Andrew Y. Chou	<b>Art Unit</b> 2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-9 have been examined. Claims 1, 2, 3, 4, 6, 7, 8, and 9 are independent claims. The priority date recognized for this application is 03/14/2003.

#### ***Priority***

2. The application claims priority under a Foreign Application No. 2003-71018 (JP) filed on 03/14/2003. The priority date considered for this application is 03/14/2003.

#### ***Information Disclosure Statement***

3. The Office acknowledges receipt of the Information Disclosure Statement filed on 12/05/2006. It has been placed in the application file and the information referred to therein has been considered by the examiner.

#### ***Oath/Declaration***

4. The Office acknowledges receipt of a properly signed oath/declaration filed on 02/18/2004.

#### ***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claim 7 is rejected under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter.

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Claim 7 is a propagation signal. A product is a tangible physical article or object, some form of matter, which a signal is not. That the other two product classes, machine and composition of matter, require physical matter is evidence that a manufacture was also intended to require physical matter. A signal, a form of energy, does not fall within either of the two definitions of manufacture. Thus, a signal does not fall within one of the four statutory classes of 35 U.S.C 101.

These interim guidelines propose that such signal claims are ineligible for patent protection because they do not fall within any of the four statutory classes of 35 U.S.C 101.

For further information, see Interim Guidelines for Examination of Patent Application for Patent Subject Matter Eligibility (signed 26Oct2005) –OG  
Cite: 1300 OG 142. Annex IV (c).

<<http://www.uspto.gov/web/offices/com/sol/og/2005/week47/patgupa.htm>>

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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8. Claims 1-9 are rejected under 35 U.S.C 102(e) as being anticipated by Beniyama et al. US 6,799,314 B2 (hereinafter Beniyama).

**Claim 1:**

Beniyama discloses a work flow program generating apparatus, comprising:

a storing device (see for example FIG. 1, item 0154, "AUXILIARY STORAGE DEVICE", and related text) to store flow definition information which defines information for controlling a work flow (see for example FIG. 1, item 0122, and related text), and screen definition information which defines screen items of a plurality of screens used in the work flow (see for example FIG. 1, item 0121, and related text); and

a generating device (see for example FIG. 1, item 0112, and related text) to read the flow definition information (see for example FIG. 2, and related text) and the screen definition information from said storing device, and to generate a screen program, which includes a program code for controlling a flow among the plurality of screens, by using the read flow definition information and screen definition information (see for example FIG. 3, and related text).

**Claim 2:**

Beniyama discloses a computer-readable storage medium (see for example FIG. 1, item 0155, and related text) on which is recorded a program for causing a computer to execute a process, the process comprising:

reading, from a storing device, flow definition information which defines information for controlling a work flow, and screen definition information which defines

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screen items of a plurality of screens used in the work flow (see for example FIG. 12, item 1204, and related text); and

generating a screen program, which includes a program code for controlling a flow among the plurality of screens, by using the read flow definition information and screen definition information (see for example FIG. 7, item 0711, "application program execution request", and related text).

**Claim 3:**

Beniyama discloses a computer-readable storage medium on which is recorded a program for causing a computer to execute a process, the process comprising:

reading, from a storing device, flow definition information which defines information for controlling a work flow of a form process, and screen definition information which defines screen items of a plurality of screens used in the work flow (see for example FIG. 12, item 1204, and related text);

generating a screen program for displaying a screen, on which data for updating a form table storing form data is input, and a screen program for displaying a screen, on which data of the form table is referred to, by using the read screen definition information (see for example FIG. 7, item 0711, "application program execution request", and related text);

generating a screen program for displaying a screen, on which data for updating a work flow table storing data of the work flow of the form process is input, by using the read flow definition information and screen definition information (see for example FIG. 3, column 4, lines 45-63, and related text); and

generating a screen program for displaying a screen, on which data of the form table is referred to, based on the data of the work flow table by using the read screen definition information (see for example column 4, lines 45-63, and related text).

**Claim 4:**

Beniyama discloses a computer-readable storage medium on which is recorded a program for causing a computer to execute a process, the process comprising:

reading, from a storing device, flow definition information which defines a number of hierarchical levels, on each of which an approver gives approval to a form, in a work flow of a form process (see for example FIG. 12, item 1204, and related text); and

generating a screen program for displaying a screen, which includes input items of approvers by the number of hierarchical levels, by using the read flow definition information (see for example FIG. 7, item 0711, "application program execution request", and related text).

**Claim 5:**

Beniyama further discloses the computer-readable storage medium according to claim 4, wherein

the computer reads, from the storing device, screen definition information which defines screen items of a screen used in the work flow of the form process, and generates a screen program for displaying a listing screen of forms, which wait for approval given by the approvers, by using the read screen definition information (see for example column 5, lines 54-66).

**Claim 6:**

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Beniyama discloses a computer-readable storage medium on which is recorded a program for causing a computer to execute a process, the process comprising:

reading, from a storing device, flow definition information which defines presence/absence of withdrawal of a form forwarded in a work flow of a form process (see for example column 5, lines 36-54, "StartProcess"); and

generating a screen program for displaying a screen, which includes a button for withdrawing a form, if the read flow definition information indicates the presence of withdrawal, and generating a screen program for displaying a screen, which does not include a button for withdrawing a form, if the flow definition information indicates the absence of withdrawal (see for example FIG. 10, and related text).

**Claim 7:**

Beniyama discloses a propagation signal for propagating a program to a computer, the program causing the computer to execute a process, the process comprising:

reading, from a storing device, flow definition information which defines information for controlling a work flow, and screen definition information which defines screen items of a plurality of screens used in the work flow (see for example FIG. 12, item 1204, and related text); and

generating a screen program including a program code for controlling a flow among the plurality of screens by using the read flow definition information and screen definition information (see for example FIG. 7, item 0711, "application program execution request", and related text).



**Claim 8:**

Beniyama discloses a work flow program generating method, comprising:

reading, from a storing device, flow definition information which defines information for controlling a work flow, and screen definition information which defines screen items of a plurality of screens used in the work flow, by a generating device (see for example FIG. 12, item 1204, and related text); and

generating a screen program including a program code for controlling a flow among the plurality of screens by using the read flow definition information and screen definition information, by the generating device (see for example FIG. 7, item 0711, "application program execution request", and related text).

**Claim 9:**

Beniyama discloses a work flow program generating apparatus, comprising:

storing means for storing flow definition information which defines information for controlling a work flow, and screen definition information which defines screen items of a plurality of screens used in the work flow see for example FIG. 1, item 0122, and related text); and

generating means for reading the flow definition information and the screen definition information from said storing means, and for generating a screen program, which includes a program code for controlling a flow among the plurality of screens, by using the read flow definition information and screen definition information (see for example FIG. 1, item 0112, and related text).

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**Conclusion**

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Y. Chou whose telephone number is (571) 272-6829. The examiner can normally be reached on Monday-Friday, 8:00 am – 4:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached on (571) 272-3695.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273 8300.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is (571) 272 2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

AYC

  
TUAN DAM  
SUPERVISORY PATENT EXAMINER